

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> <b>00366.000211.</b> <b>U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)</b> <b>107581270</b>
INTERNATIONAL APPLICATION NO. PCT/EP2004/013649	INTERNATIONAL FILING DATE December 1, 2004	PRIORITY DATE CLAIMED December 2, 2003
TITLE OF INVENTION <b>PROSTHETIC DEVICE FOR CARTILAGE REPAIR</b>		
APPLICANT(S) FOR DO/EO/US <b>RETO LUGINBUEHL ET AL.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li><li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li><li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ol></li><li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ol style="list-style-type: none"><li>a. <input type="checkbox"/> is attached hereto.</li><li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ol></li><li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input type="checkbox"/> have not been made and will not be made.</li></ol></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol>		
Items 11 to 20 below concern other document(s) or information included:		
<ol style="list-style-type: none"><li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li><li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li><li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li><li>18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4) (cover page only).</li><li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li><li>20. <input checked="" type="checkbox"/> Other items or information: PCT Request (4 pgs); Form PCT/ISA/210 (8 pgs); Form PCT/IPEA/401 (4 pgs); PCT/IPEA/409 (16 pgs) and 4 sheets of formal drawings.</li></ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)	INTERNATIONAL APPLICATION NO.			ATTORNEY'S DOCKET NUMBER
<b>10/581270</b>	PCT/EP2004/013649			00366.000211
The following fees are submitted:				CALCULATIONS
21. <input checked="" type="checkbox"/> Basic national fee .....				\$300
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provision of PCT Article 33(1)-(4) .....				\$100
All other situations .....				\$200
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....				\$100
International Search Report prepared and provided to the Office .....				\$400
All other situations .....				\$500
<b>TOTAL OF 21, 22 and 23 =</b>				\$900.00
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
46 - 100 =	0/50 =	0	x \$250.00	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	45 -20 =	25	x \$ 50	\$1250.00
Independent Claims	1 - 3 =	0		00.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360 00.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.				\$
<b>SUBTOTAL =</b>				\$ 0.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$
<b>TOTAL NATIONAL FEE =</b>				\$ 0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$0.00
<b>TOTAL FEES ENCLOSED =</b>				\$2150.00
				Amount to be refunded: \$
				Amount to be charged: \$
a. <input checked="" type="checkbox"/> Checks in the amount of <u>\$ 2150.00</u> to cover the above fees are enclosed.				
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-1205</u> . A duplicate copy of this sheet is enclosed.				
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.				
SEND ALL CORRESPONDENCE TO: Fitzpatrick, Cella, Harper & Scinto 30 Rockefeller Plaza New York, NY 10112-3800 Phone: 212-218-2100 CUSTOMER NO. 05514				
 SIGNATURE <b>Raymond R. Mandra</b> May 31, 2006 NAME <u>34,382</u> REGISTRATION NUMBER				

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FORM PTO-1390 (REV.12-2004)

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

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**IAP20 Rec'd PCT/PTO 01 JUN 2006**